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Application Serial No. 10/783,486

Response to Office Action mailed Sept. 27, 2004

Practitioner's Docket No. LAR 16324-2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: William C. Edwards et al.

Application No.: 10/783,486

Group No.: 2636

Examiner: Lieu, Julie B.

For: Self-Activating System And Method For Alerting When An Object Or A Person Is Left Unattended

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION (37 C.F.R. § 1.321(c))

Identification of Person(s) Making This Disclaimer

I, Kurt G. Hammerle, represent that I am an attorney of record.

EXTENT OF DISCLAIMANT'S INTEREST

The extent of the interest in this invention that the disclaimant owns is in the whole of this invention.

DISCLAIMER

(Obviousness-Type Double Patenting Rejection over a Prior Patent)

Petitioner hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of U.S. Patent No. 6,714,132 as presently shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the patent forming the basis of the double patenting rejection, namely, U.S. Patent No. 6,714,132, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under

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37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

DISCLAIMER FEE (37 C.F.R. § 1.20(d))

Other than a small entity fee--\$110.00.

FEE PAYMENT

Authorization is hereby made to charge the amount of \$110.00 to Deposit Account No. 14-0116.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

DECEMBER 9, 2004

Date

Kurt G. Hammerle

Kurt G. Hammerle
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Mail Stop 141
Hampton, VA 23681-2199
757-864-2470
Customer No. 23351



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MAY 14, 2002

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Commissioner for Trademarks
Arlington, VA 22202-3513
www.uspto.gov

NASA LANGLEY RESEARCH CENTER
KURT G. HAMMERLE
MAIL STOP 212
HAMPTON, VA 23681-2199



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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/27/2001

REEL/FRAME: 012685/0750
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

EDWARDS, WILLIAM CHRISTOPHER

DOC DATE: 11/26/2001

ASSIGNOR:

MACK, TERRY L.

DOC DATE: 11/26/2001

ASSIGNOR:

MODLIN, EDWARD A.

DOC DATE: 11/26/2001

ASSIGNEE:

NATIONAL AERONAUTICS AND SPACE
ADMINISTRATION, THE UNITED
STATES GOVERNMENT, AS
REPRESENTED BY THE ADMINISTRATOR
WASHINGTON, D.C., U.S. ARMY

20546-0001

SERIAL NUMBER: 10011229
PATENT NUMBER:

FILING DATE: 11/27/2001
ISSUE DATE:



012685/0750 PAGE 2

VIOLET MCCOY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



23351

PATENT TRADEMARK OFFICE

Practitioner's Docket No. LAR 16324-1

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

03-21-2002



102026910

PATENT APPLICATION

Jc720 U.S. PTO
10/011229
11/27/01COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING
NEW PATENT APPLICATION (37 C.F.R. section 3.31)IDENTIFICATION OF APPLICATION
(37 C.F.R. section 3.21 and 37 C.F.R. section 3.31(a)(4))

1. The patent application filed herewith and, to which the attached assignment (document) refers, is identified as follows:
 - a. Type of application: Application of patent (37 C.F.R. section 1.53(b))
 - b. Date of execution: November 26, 2001
 - c. Name of each inventor:
 - 1: Edwards, William Christopher
 - 2: Mack, Terry L.
 - 3: Modlin, Edward A.
 - d. Title of invention: SELF-ACTIVATING SYSTEM AND METHOD FOR ALERTING WHEN AN OBJECT OR A PERSON IS LEFT UNATTENDED

11.27.01

101011229

CERTIFICATION UNDER 37 C.F.R. SECTION 1.10*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this "Cover Sheet for Assignment (Document) Accompanying New Patent Application" and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 11/27/2001, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number ET110048283US, addressed to the: U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

12/21/2001 GTON11 00000005 140116 10011229

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Kurt G. Hammerle
Reg. No. 36,819

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"Since the filing of correspondence under SECTION 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

NAME OF PARTY(IES) CONVEYING INTEREST (37 C.F.R. section 3.31(a)(1))

2. The parties conveying this interest are:
Edwards, William Christopher
Mack, Terry L.
Modlin, Edward A.



**NAME AND ADDRESS OF PARTY(IES) RECEIVING INTEREST
(37 C.F.R. section 3.31(a)(2))**

3. The rights are being conveyed to: The United States Government, as represented by the administrator of the National Aeronautics and Space Administration.
Washington, D.C. 20546-0001

**DESCRIPTION OF INTEREST CONVEYED OR TRANSACTION RECORDED
(37 C.F.R. section 3.31 (a)(3))**

4. The accompanying document intends to accomplish: an assignment.

**NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE
SHOULD BE MAILED (37 C.F.R. section 3.31(a)(5))**

5. Please address correspondence to:

NASA Langley Research Center
Mail Stop 212
Hampton, VA 23681-2199
757-864-2470

DATE ASSIGNMENT (DOCUMENT) EXECUTED (37 C.F.R. section 3.31(a)(7))

6. The attached assignment (document) was executed on November 26, 2001.

LANGUAGE OF ASSIGNMENT (DOCUMENT) TO BE RECORDED

7. The attached document is in the English language.

ORIGINAL DOCUMENT OR TRUE COPY SUBMITTED

8. Submitted herewith is the original document.

**NUMBER OF APPLICATIONS IDENTIFIED IN THIS COVER SHEET
AND THE FEE**

9. A. This cover sheet identifies only one application.
B. The fee for recordal (37 C.F.R. section 1.21(h)) is \$40. Please charge Account 14-0116. A duplicate of this cover sheet is attached.

For: U.S. Rights
For: U.S. Application
By: Inventors

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNORS:

William Christopher Edwards
6 Rochambeau Drive
Poquoson, VA 23662
Nationality: USA

Terry L. Mack
40 Peterborough Drive
Hampton, VA 23666
Nationality: USA

Edward A. Modlin
305 Treis Trace
Yorktown, VA 23693
Nationality: USA

hereby sell, assign and transfer to

ASSIGNEE: The United States Government, as represented by the administrator of the National Aeronautics and Space Administration, and the successors, assigns and legal representatives of the ASSIGNEE the entire right, title and interest for the United States and its territorial possessions in and to any and all improvements which are disclosed in the invention entitled:

**SELF-ACTIVATING SYSTEM AND METHOD FOR ALERTING WHEN AN OBJECT
OR A PERSON IS LEFT UNATTENDED**

and which is found in (37 C.F.R. section 3.21) U.S. patent application executed on August 17, 2001 and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.



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PATENT TRADEMARK OFFICE

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

Date: 11/26/01

William Christopher Edwards
Signature of William Christopher Edwards

Date: 11/26/01

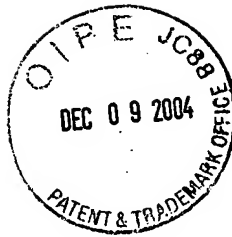
Terry L Mack
Signature of Terry L. Mack

Date: 11/26/01

Edward A. Modlin
Signature of Edward A. Modlin

Practitioner's Docket No. LAR 16324-2

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450



PATENT

**COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING
NEW PATENT APPLICATION (37 C.F.R. § 3.31)**

**IDENTIFICATION OF APPLICATION
(37 C.F.R. § 3.21 and 37 C.F.R. § 3.31(a)(4))**

1. The patent application filed herewith and, to which the attached assignment (document) refers, is identified as follows:
 - a. Type of application: Application of patent (37 C.F.R. § 1.53(b))
 - b. Date of execution: February 20, 2004
 - c. Name of each inventor:
 - 1: William Christopher Edwards
 - 2: Terry L. Mack
 - 3: Edward A. Modlin
 - d. Title of invention: Self-Activating System and Method for Alerting When an Object or a Person is Left Unattended

NAME OF PARTIES CONVEYING INTEREST (37 C.F.R. § 3.31(a)(1))

2. The parties conveying this interest are:

William Christopher Edwards
Edward A. Modlin

**NAME AND ADDRESS OF PARTIES RECEIVING INTEREST
(37 C.F.R. § 3.31(a)(2))**

3. The rights are being conveyed to:

United States of America as represented by the Administrator of the National Aeronautics
and Space Administration
Washington, D.C. 20546

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**DESCRIPTION OF INTEREST CONVEYED OR TRANSACTION RECORDED
(37 C.F.R. § 3.31 (a)(3))**

4. The accompanying document intends to accomplish:

an assignment.

**NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE
SHOULD BE MAILED (37 C.F.R. § 3.31(a)(5))**

5. Please address correspondence to:

NASA Langley Research Center
Mail Stop 212
Hampton VA 23681-2199
757-864-2470

DATE ASSIGNMENT (DOCUMENT) EXECUTED (37 C.F.R. § 3.31(a)(7))

6. The attached assignment (document) was executed on February 20, 2004.

LANGUAGE OF ASSIGNMENT (DOCUMENT) TO BE RECORDED

7. The attached document is in the English language.

ORIGINAL DOCUMENT OR TRUE COPY SUBMITTED

8. Submitted herewith is the original document.

**NUMBER OF APPLICATIONS IDENTIFIED IN THIS COVER SHEET
AND THE FEE**

9. A. This cover sheet identifies only one application.
B. The fee for recordal (37 C.F.R. § 1.21(h)) is \$40.00.

Authorization is hereby made to charge the amount of \$40.00 to Deposit Account No. 14-0116.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

**STATEMENT (37 C.F.R. § 3.31(a)(9))
AND SIGNATURE (37 C.F.R. § 3.31(a)(10))**

10. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Date: FEBRUARY 20, 2004

Kurt G. Hammerle

Kurt G. Hammerle
Registration No. 36,819
NASA Langley Research Center
Mail Stop 212
Hampton, VA 23681-2199
757-864-2470
Customer No. 23351

TOTAL NUMBER OF PAGES BEING SUBMITTED

11. The total number of pages being submitted, including cover sheet, attachment(s), and document(s) is: 5



National
Aeronautics and
Space
Administration

Patent Application

Assignment to the Government (by Government Employee)

Title of Invention: Self-Activating System and Method for Alerting When an Object or a Person is Left Unattended

Inventor(s): William Christopher Edwards, Terry L. Mack, and Edward A. Modlin

NASA Case No.: LAR 16324-2 Application No.*: _____ Filing Date*: 02/20/2004

WHEREAS, the parties to this Assignment and Agreement are the undersigned inventor(s) and the United States Government (hereafter Government), as represented by the Administrator of the National Aeronautics and Space Administration;

WHEREAS, the making of this Assignment and Agreement is in accordance with 37 CFR Part 501; and

WHEREAS, the undersigned inventor(s) has (have) executed, on the date(s) indicated below, an application for United States Patent on the above-entitled invention.

NOW THEREFORE, in consideration of employment by the Government, the undersigned hereby:

1. Assign to the Government my (our) full and exclusive right in and to said invention within the United States of America, its territories and possessions, and my (our) entire right, title and interest in and to said application, and any corresponding continuation or divisional application(s) and any patent(s) that may issue therefrom.

2. Agree to grant to the Government my (our) full and exclusive foreign rights in and to said invention, in accordance with 37 CFR 501.9(d), including rights of priority under the International Convention of Paris (1883), as amended. If the Government chooses not to file an application in any foreign country, I (we) may request rights in that country, in accordance with 37 CFR 501.9(d), and such rights will be subject to the reservation to the Government of a nonexclusive, irrevocable, royalty-free license in the invention with power to grant licenses for all governmental purposes. The terms of such reservation will appear, where practicable, in any foreign patent which may issue on such invention.

3. Agree, at the expense of the Government, (a) to execute any document for, (b) to deliver any requested information to, and (c) to cooperate in any manner with the Government in order to allow the Government to protect any interest transferred by this Assignment and Agreement.

*4. Authorize and request the attorneys of record in the application to insert the application number and filing date above when required.

William Christopher Edwards
(Signature of Inventor)

William Christopher Edwards
(Inventor's Typed Name)

2-20-04
(Date Assignment Executed)

(Date Application Executed)

112 White House Drive, Poquoson, VA 23662 US
(Mailing Address - Including Country)

Edward A. Modlin
(Signature of Inventor)

Edward A. Modlin
(Inventor's Typed Name)

2/20/04
(Date Assignment Executed)

(Date Application Executed)

305 Treis Trace, Yorktown, VA 23693 US
(Mailing Address - Including Country)

(Signature of Inventor)

(Date Assignment Executed)

(Date Application Executed)

(Inventor's Typed Name)

(Mailing Address - Including Country)

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